STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH OFFICE OF FINANCIAL AND INSURANCE SERVICES

Before the Commissioner of Financial and Insurance Services

In the matter of:	
David G. Morrison, Jr. License No. 0038955	Enforcement Case No. 05-3869
and	
All Lines Insurance Agency, Inc. License No. 0017202	
Respondents/	

Issued and entered On April 4, 2006 by Linda A. Watters Commissioner

CONSENT ORDER AND STIPULATION

A. Findings of fact and conclusions of law

- 1. At all pertinent times, David G. Morrison, Jr. was a licensed resident insurance producer, transacting business in the State of Michigan. At all pertinent times, All Lines Insurance Agency, Inc. was a licensed resident insurance agency owned and operated by David G. Morrison. Mr. Morrison and the agency are collectively referred to as "Respondents."
- 2. Respondents were appointed to represent American Fellowship Insurance Company on March 1, 2002, and currently maintain active appointments with the company.
- 3. On September 17, 2004, XXXXXXXX of XXXXXXXX purchased a dwelling policy from Respondents on newly purchased rental property. XXXXXXXXX was required to show proof of coverage to his lender in order to secure his mortgage. XXXXXXXXXXXXX issued his check #1125 in the amount of \$1931, drawn on the account of his business, XXXXXXXXXXXXXXXXXXXX, payable to Respondent for the

- dwelling coverage. XXXXXXXXXX name and the XXXXXX street address of the rental property were shown in the memo portion of the check.
- 4. On the same date, September 17, 2004, Respondent issued an evidence of property insurance to XXXXXXXXXXX for his XXXXXXXXXX street rental property, naming All Lines Insurance Agency as the producer and American Fellowship as the company. The effective date of the binder was 9/17/04 thru 9/17/05.
- 5. On September 27, 2004, Respondent deposited XXXXXXXXXXXX's premium check into Respondent's account at XXXXXXXXXXXXXX.
- 6. On November 9, 2004, XXXXXXXX sustained a complete fire loss at his XXXXXXX street rental property. XXXXXXXXX contacted American Fellowship who had no record of XXXXXXXX, as the company never received an application or premium for coverage on this applicant. XXXXXXXXX further contacted Respondents who stated they would look into the matter but no resolution was provided. The lender, XXXXXXXX, also contacted Respondent who admitted that coverage had never been placed and who stated that he would try to make a claim against his Errors and Omissions (E & O) carrier. Respondent then advised XXXXXXXX that his E & O coverage had lapsed some months prior to the loss, but assured the bank that he would contact American Fellowship about coverage. American Fellowship has refused to pay the claim of XXXXXXXXXXXXXXX.
 - 7. By failing to remit premium money held in a fiduciary capacity to the Company to whom it was owed, Respondents violated Sections 1207(1) and 1239(1)(d) and failed to uphold the standards required for honesty and trustworthiness set forth in Section 1239(1)(h) of the Michigan Insurance Code.
 - 8. Respondent Morrison is in the process of negotiating a sale of the agency to another insurance producer and believes the sale will be consummated within 90 days and requests that Respondent All Lines Insurance Agency, Inc.'s license remain in effect during the 90 day period. Further, Respondent Morrison represents that the potential buyer is currently operating the Respondent agency and that, at no point, will Respondent be involved in the daily operations of Respondent agency.

B. ORDER

Based on the findings of fact and conclusions of law above and Respondent's stipulation, it is ORDERED that:

- 1. Respondents shall immediately cease and desist from operating in such a manner as to violate Sections 1207(1) and 1239(1)(h) of the Code.
- 2. Respondent Morrison's license is hereby cancelled.

3. Respondent All Lines Insurance Agency, Inc.'s license is cancelled effective ninety (90) from the date of entry of this order. Further, in the event that Respondent agency is sold before the expiration of the said 90 days, Respondent Morrison shall inform OFIS of the sale and shall mail to OFIS the license of Respondent All Lines Insurance Agency, Inc.

Linda A. Watters

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Commissioner